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# FEDERAL REGISTER

VOLUME 6 NUMBER 1

*Washington, Wednesday, January 1, 1941*

## The President

### URUGUAY—SUSPENSION OF TONNAGE DUTIES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

WHEREAS section 4228 of the Revised Statutes of the United States, as amended by the act of July 24, 1897, c. 13, 30 Stat. 214 (U.S.C., title 46, sec. 141), provides, in part, as follows:

Upon satisfactory proof being given to the President, by the government of any foreign nation, that no discriminating duties of tonnage or imposts are imposed or levied in the ports of such nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country, the President may issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of such foreign nation, and the produce, manufactures, or merchandise imported into the United States from such foreign nation, or from any other foreign country; the suspension to take effect from the time of such notification being given to the President, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, shall be continued, and no longer \* \* \*

AND WHEREAS satisfactory proof was received by me from the Government of Uruguay on December 10, 1940, that no discriminating duties of tonnage or imposts are imposed or levied in the ports of Uruguay upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in such vessels, from the United States, or from any foreign country:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, under and by virtue of the authority vested in me by the above-quoted statutory provisions, do hereby declare and proclaim that the foreign discriminating duties of tonnage and imposts within the United States are suspended and discontinued so far as respects the vessels of Uruguay and the

produce, manufactures, or merchandise imported in said vessels into the United States from Uruguay or from any other foreign country; the suspension to take effect from December 10, 1940, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes shall be continued, and no longer.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 28<sup>th</sup> day of December, in the year of our Lord nineteen hundred and [SEAL] forty, and of the Independence of the United States of America the one hundred and sixty-fifth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL  
*Secretary of State.*

[No. 2452]

[F. R. Doc. 40-5994; Filed, December 31, 1940; 11:36 a. m.]

## Rules, Regulations, Orders

### TITLE 7—AGRICULTURE

#### CHAPTER VIII—SUGAR DIVISION OF THE AGRICULTURAL ADJUSTMENT ADMINISTRATION

[G. S. Q. R. Series 7, No. 1, Rev. 2, Amendment 1]

#### PART 821—SUGAR QUOTAS

#### REVISION OF PRORATIONS OF THE QUOTA FOR FOREIGN COUNTRIES OTHER THAN CUBA

Pursuant to the authority vested in the Secretary of Agriculture by the Sugar Act of 1937 (50 Stat. 903; 7 U.S.C., Supp. V, 1100), as amended, § 821.24 of General Sugar Quota Regulations, Series 7, No. 1, Revision 2, issued September 18, 1940, is hereby amended to read as follows:

§ 821.24 *Proration of quota for foreign countries other than Cuba.*—(a) *Revised prorations.* The quota for foreign countries other than Cuba is hereby prorated,

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pursuant to sections 202 and 204 (b) of the said act, among such countries as follows:

Country	Proportions in pounds
China and Hongkong	237,786
Dominican Republic	6,452,490
Haiti	891,640
Mexico	657,903
Peru	40,114,181
Other countries	0
Total	48,354,000

(Sec. 202, 50 Stat. 905; 7 U.S.C., Supp. V, 1112; Sec. 204, 50 Stat. 905; 7 U.S.C., Supp. V, 1114)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, city of Washington, this 30th day of December 1940.

[SEAL] CLAUDE R. WICKARD,  
Secretary of Agriculture.

[F. R. Doc. 40-5958; Filed, December 30, 1941;  
2:10 p. m.]

### TITLE 47—TELECOMMUNICATION

#### CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

##### PART 35—UNIFORM SYSTEM OF ACCOUNTS FOR WIRE-TELEGRAPH AND OCEAN-CABLE CARRIERS

Regulations prescribing a uniform system of accounts for wire-telegraph and ocean-cable carriers, adopted by the Federal Communications Commission, October 29, 1940, to become effective January 1, 1942, were filed with the Division of the FEDERAL REGISTER, December 31, 1940, at 10:48 a. m. (F.R. Doc. 40-5982).

### Notices

#### WAR DEPARTMENT.

[Supplemental Contract No. A]

SUMMARY OF SUPPLEMENTAL CONTRACT TO COST-PLUS-A-FIXED-FEE CONTRACT No. W 6939 QM-1, DATED SEPTEMBER 12, 1940, FOR THE CONSTRUCTION AND EQUIPPING, INCLUDING THE DESIGN AND ENGINEERING INCIDENT THERETO, OF A PLANT FOR THE MANUFACTURE OF TNT AND DNT AT WILMINGTON, ILLINOIS

CONTRACTOR: STONE AND WEBSTER ENGINEERING CORPORATION, 90 BROAD STREET, NEW YORK CITY, NEW YORK

Estimated cost: (Original) \$10,863,000.00 (Supplemental) \$19,220,000.00  
Fixed fee: (Original) \$461,700.00 (Supplemental) \$666,300.00  
Supplemental contract for: Increase in size of TNT and DNT plant and a unit for the manufacture of Teteryl.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to, Procurement Authority No. ORD 6783 P1 3211 A 0141-01 the available balance of which is sufficient to cover the cost of same.

This supplemental contract, entered into this 23rd day of November 1940.

Delete Paragraph 1a of Article I of the principal contract and substitute in lieu thereof the following:

The Construction and equipping of a plant near Wilmington, Illinois, for the manufacture of trinitrotoluene, (hereinafter referred to as "TNT"), dinitrotoluene (hereinafter referred to as "DNT"), and teteryl, having an estimated capacity of \* \* \* lbs. of TNT, \* \* \* lbs. of DNT, and \* \* \* lbs. of teteryl per day of 24 hours. Said plant shall include a nitric acid manufacturing plant.

Delete paragraph 1c of Article I of the principal contract and substitute in lieu thereof the following:

The preparation of the designs, plans, drawings and specifications for the entire construction work, including the equipping of said plant, shall be based upon general outline plans furnished by the Government and by E. I. du Pont de Nemours & Company (hereinafter referred to as the "Consultant"), said general outline plans to be utilized and adapted by the Contractor in so far as possible to the work hereunder.

Delete Paragraph 2 of Article I of the principal contract and substitute in lieu thereof the following:

It is estimated that the total cost of the construction work as increased and modified by this Supplemental Contract will be approximately \$30,083,000.00, exclusive of the Contractor's fee.

Delete Sub-Paragraph c of Paragraph 3, Article I of the principal contract and substitute in lieu thereof the following:

A fixed-fee in the amount of One Million, One hundred Twenty-Eight Thousand Dollars (\$1,128,000.00) which shall constitute complete compensation for the Contractor's services, including profit and all general overhead expenses.

The said principal contract, as hereby modified and supplemented shall continue in full force and effect.

This supplemental contract is authorized by Public No. 703, 76th Congress, Approved July 2, 1940.

NEAL H. MCKAY,  
Major, Quartermaster Corps,  
Assistant to the Director of  
Purchases and Contract.

[F. R. Doc. 40-5971; Filed, December 31, 1940;  
10:07 a. m.]



[Contract No. W 535 ac-16589 (4005)]

## SUMMARY OF CONTRACT FOR SUPPLIES

CONTRACTOR: BENDIX AVIATION CORPORATION,  
PIONEER INSTRUMENT DIVISION

Contract for: Indicators and transmitters; and data.

Amount: \$6,393,220.00.

Place: Matériel Division, Air Corps, U. S. Army, Wright Field, Dayton, Ohio.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to Procurement Authorities, the available balances of which are sufficient to cover cost of same, as follows:

AC 28 P 82-3037 A 0705-01----- \$834,920.00  
AC 34 P 12-3037 A 0705-01----- 5,558,300.00

This contract, entered into this 25th day of November 1940.

*Scope of this contract.* The contractor shall furnish and deliver to the Government Indicators and Transmitters; and data for the consideration stated six million three hundred ninety three thousand two hundred twenty dollars (\$6,393,220.00) in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

*Changes.* Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings or specifications, except Federal Specifications. Changes as to shipment and packing of all supplies may also be made as above provided.

*Delays—Damages.* If the contractor refuses or fails to make deliveries of the materials or supplies within the time specified in Article 1, or any extension thereof, the Government may by written notice terminate the right of the contractor to proceed with deliveries or such part or parts thereof as to which there has been delay.

*Payments.* The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Unless otherwise specified, payments will be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, when requested by the contractor, payments for accepted partial deliveries shall be made whenever such payments would equal or exceed either \$1,000 or 50 percent of the total amount of the contract.

*Option.* The Government is granted the right and option at any time within \* \* \* from and after date of approval of this contract to increase the quantity or quantities of articles called for and in the event of the exercise of this option, the unit price of each article furnished shall be the unit price specified herein.

The Government is granted the further right and option at any time during the life of this contract to increase the quantity or quantities of the articles called for under the terms of Article 16 hereof at not more than the unit prices stipulated.

*Termination when contractor not in default.* If, in the opinion of the contracting officer upon the approval of the Secretary of War, the best interests of the Government so require, this contract may be terminated by the Government, even though the contractor be not in default, by a notice in writing relative thereto from the contracting officer to the contractor.

NEAL H. MCKAY,  
Major, Quartermaster Corps,  
Assistant to the Director of  
Purchases and Contracts.

[F. R. Doc. 40-5970; Filed, December 31, 1940;  
10:07 a. m.]

## NAVY DEPARTMENT.

## Bureau of Ordnance.

[Nord-44]

## SUMMARY OF CONTRACT FOR PROJECTILES

CONTRACTOR: CRUCIBLE STEEL COMPANY OF  
AMERICA, HARRISON, NEW JERSEY

DECEMBER 26, 1940.

Under date of September 12, 1940, a contract was entered into by the Chief of the Bureau of Ordnance of the Navy Department with the Crucible Steel Company of America for the manufacture of projectiles. The contract was for a fixed price, the total consideration being \$3,397,200.00. Award of this contract was made on the basis of competitive bidding.

W. R. FURLONG,  
Rear Admiral, U. S. N.,  
Chief of the Bureau of Ordnance.

[F. R. Doc. 40-5980; Filed, December 31, 1940;  
10:12 a. m.]

[Nord-45]

## SUMMARY OF CONTRACT FOR PROJECTILES

CONTRACTOR: THE MIDVALE COMPANY, NICE-  
TOWN, PHILADELPHIA, PENNSYLVANIA

DECEMBER 26, 1940.

Under date of September 12, 1940, a contract for the manufacture of projectiles was entered into by the Chief of the Bureau of Ordnance of the Navy Department with The Midvale Company. The contract, which was for a fixed price, totaled \$4,213,250.00. Award of this contract was made on the basis of competitive bidding.

W. R. FURLONG,  
Rear Admiral, U. S. N.,  
Chief of the Bureau of Ordnance.

[F. R. Doc. 40-5978; Filed, December 31, 1940;  
10:12 a. m.]

[Nord-46]

SUMMARY OF CONTRACT FOR PROJECTILES  
CONTRACTOR: BETHLEHEM STEEL COMPANY  
BETHLEHEM, PENNSYLVANIA

DECEMBER 26, 1940.

Under date of September 12, 1940, a contract for the manufacture of projectiles was entered into by the Chief of the Bureau of Ordnance of the Navy Department with the Bethlehem Steel Company. The contract, which was for a fixed price, totaled \$3,405,852.00. Award of this contract was made on the basis of competitive bidding.

W. R. FURLONG,  
Rear Admiral, U. S. N.,  
Chief of the Bureau of Ordnance.  
[F. R. Doc. 40-5974; Filed, December 31, 1940;  
10:11 a. m.]

[Nord-47]

SUMMARY OF CONTRACT FOR GUN  
FORGINGSTHE MIDVALE COMPANY, NICETOWN,  
PHILADELPHIA, PENNSYLVANIA

DECEMBER 26, 1940.

On September 16, 1940, a contract for the manufacture of gun forgings was entered into by the Chief of the Bureau of Ordnance of the Navy Department with The Midvale Company. The contract, which was for a fixed price, totaled \$8,121,125.31. Award of this contract was made on the basis of competitive bidding.

W. R. FURLONG,  
Rear Admiral, U. S. N.,  
Chief of the Bureau of Ordnance.  
[F. R. Doc. 40-5977; Filed, December 31, 1940;  
10:11 a. m.]

[Nord-48]

SUMMARY OF CONTRACT FOR GUN FORGINGS  
CONTRACTOR: CRUCIBLE STEEL COMPANY OF  
AMERICA, HARRISON, NEW JERSEY

DECEMBER 26, 1940.

Under date of September 16, 1940, a contract for the manufacture of gun forgings was entered into by the Chief of the Bureau of Ordnance of the Navy Department with the Crucible Steel Company of America. The contract, which was for a fixed price, totaled \$2,332,343.02. Award of this contract was made on the basis of competitive bidding.

W. R. FURLONG,  
Rear Admiral, U. S. N.,  
Chief of the Bureau of Ordnance.  
[F. R. Doc. 40-5979; Filed, December 31, 1940;  
10:12 a. m.]

[Nord-50]

SUMMARY OF CONTRACT FOR GUN FORGINGS  
CONTRACTOR: NATIONAL FORGE AND ORD-  
NANCE COMPANY, IRVINE, WARREN COUNTY,  
PENNSYLVANIA

DECEMBER 26, 1940.

Under date of September 16, 1940, a contract was entered into by the Chief of



the Bureau of Ordnance of the Navy Department with the National Forge and Ordnance Company for the manufacture of gun forgings. The contract was for a fixed price, the total consideration being \$1,006,003.80. Award of this contract was made on the basis of competitive bidding.

W. R. FURLONG,  
Rear Admiral, U. S. N.,  
Chief of the Bureau of Ordnance.

[F. R. Doc. 40-5975; Filed December 31, 1940;  
10:11 a. m.]

[Nord-54]

#### SUMMARY OF CONTRACT FOR GUN FORGINGS

CONTRACTOR: ERIE FORGE COMPANY, ERIE,  
PENNSYLVANIA

DECEMBER 26, 1940.

Under date of September 16, 1940, a contract was entered into by the Chief of the Bureau of Ordnance of the Navy Department with the Erie Forge Company for the manufacture of gun forgings. The contract was for a fixed price, the total consideration being \$1,162,366.40. Award of this contract was made on the basis of competitive bidding.

W. R. FURLONG,  
Rear Admiral, U. S. N.,  
Chief of the Bureau of Ordnance.

[F. R. Doc. 40-5976; Filed, December 31, 1940;  
10:11 a. m.]

[Nod-1477]

#### SUMMARY OF CONTRACT FOR MANUFACTURING EQUIPMENT

CONTRACTOR: CARNEGIE-ILLINOIS STEEL CORPORATION, PITTSBURGH, PENNSYLVANIA

DECEMBER 26, 1940.

Under date of August 29, 1940, the Navy Department entered into a contract with The Carnegie-Illinois Steel Corporation for the furnishing and installation of special equipment and facilities for the manufacture of armor at the Naval Ordnance Plant, South Charleston, West Virginia at an estimated cost not to exceed \$4,000,000. The contract requires that the work be done at actual cost without profit to the Contractor.

W. R. FURLONG,  
Rear Admiral, U. S. N.,  
Chief of the Bureau of Ordnance.

[F. R. Doc. 40-5981; Filed, December 31, 1940;  
10:12 a. m.]

[Nod-1484]

#### SUMMARY OF CONTRACT FOR MANUFACTURING EQUIPMENT

CONTRACTOR: CARNEGIE-ILLINOIS STEEL CORPORATION, PITTSBURGH, PENNSYLVANIA

DECEMBER 26, 1940.

Under date of October 15, 1940, the Navy Department entered into a contract with The Carnegie-Illinois Steel

Corporation for the furnishing and installation of special equipment and facilities for the manufacture of armor at the Naval Ordnance Plant, South Charleston, West Virginia, at an estimated cost not to exceed \$45,000,000. The contract requires that the work be done at actual cost without profit to the Contractor.

W. R. FURLONG,  
Rear Admiral, U. S. N.,  
Chief of the Bureau of Ordnance.

[F. R. Doc. 40-5973; Filed, December 31, 1940;  
10:08 a. m.]

#### DEPARTMENT OF THE INTERIOR.

##### Bituminous Coal Division.

[Docket No. A-110]

PETITION OF DISTRICT BOARD 8 FOR RECLASSIFICATION OF BENEDICT COAL CORPORATION, BLUE DIAMOND COAL COMPANY, AND HIGH SPLINT COAL COMPANY, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

##### ORDER OF DISMISSAL

Petitioner in the above-entitled matter, having requested the dismissal of its petition;

*It is ordered*, That the above-entitled petition is dismissed without prejudice.  
Dated: December 28, 1940.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 40-5960; Filed, December 30, 1940;  
3:04 p. m.]

[Docket No. A-182]

PETITION OF THE BITUMINOUS COAL PRODUCERS BOARD FOR NO. 2 FOR MODIFICATION OF EFFECTIVE MINIMUM PRICES HERETOFORE ESTABLISHED FOR CERTAIN COALS PRODUCED IN DISTRICT NO. 2

##### NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

*It is ordered*, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on February 19, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered*, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of

any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before February 13, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to modification of effective minimum prices heretofore established for truck mines located in Allegheny, Beaver, Butler, Fayette, Washington, and Westmoreland Counties, Pennsylvania, District No. 2.

An informal conference regarding the granting of temporary relief pending final disposition of the petition in the above matter was held on December 7, 1940 at which were present representatives of the original petitioner. The granting of temporary relief was urged by the petitioner to alleviate unfair advantages accruing to competitors of the producers set forth in the original petition through adjustment of the effective minimum prices of the coals mentioned therein. Petitioner represented that it had personally visited each of the mines involved and analyzed the marketing conditions thereof as well as the quality and characteristics of the coals produced and found that the modifications proposed in the petition were necessary in order to preserve fair competitive opportunities of the mines in question. Having considered the views stated at the informal conference and the statements made in the petition in this case the Director is of the opinion that a reasonable showing of necessity for temporary relief has been made; and

*It is further ordered*, That, pending final disposition of the petition in the above entitled matter, temporary relief



be, and it hereby is, granted as follows: Commencing forthwith the coals referred to in the schedule hereto attached and marked "Temporary Supplement" and made a part hereof, shall be subject to minimum prices as provided in said schedule.

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division and proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: December 30, 1940.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 40-5965; Filed, December 30, 1940;  
3:06 p. m.]

[Docket No. A-252]

**PETITION OF DUQUESNE COAL & COKE COMPANY FOR THE ESTABLISHMENT OF A PRICE CLASSIFICATION AND MINIMUM PRICE FOR SIZE GROUP 10 AT MINE INDEX 8, DISTRICT 2**

**NOTICE OF AND ORDER FOR HEARING**

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party:

*It is ordered,* That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on January 24, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered,* That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings

instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 18, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of Duquesne Coal and Coke Company, District 2, for the establishment of a price classification and minimum prices for the coals of Size Group 10 at its Aurora Mine, Mine Index 8, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: December 28, 1940.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 40-5961; Filed, December 30, 1940;  
3:04 p. m.]

[Docket No. A-262]

**PETITION OF DISTRICT BOARD 16 FOR REVISION OF EFFECTIVE MINIMUM PRICES ESTABLISHED FOR COALS PRODUCED IN SUBDISTRICT NO. 12 OF DISTRICT NO. 16 FOR TRUCK SHIPMENT**

**NOTICE OF AND ORDER FOR HEARING ON TEMPORARY AND PERMANENT RELIEF**

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting temporary and permanent relief having been duly filed with this Division by the above-named party:

*It is ordered,* That a hearing on the prayers for temporary and permanent relief in the above-entitled matter, under the applicable provisions of said Act, and the Rules and Regulations of the Division, be held on January 16, 1941, at 10 o'clock a. m. (eastern standard time) in a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room in which such hearing will be held.

*It is further ordered,* That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue

said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law: *Provided, however,* That the prayer for temporary relief shall be reserved within the jurisdiction of the Director, for such action as may be deemed appropriate, at any time during the course of the proceedings in the above-entitled matter.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become parties herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the Rules and Regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 11, 1941.

The matter concerned herewith is in regard to the modification of effective minimum prices established for the coals of truck mines, located in Subdistrict No. 12 of District No. 16.

All persons are hereby notified that the hearing in the above-entitled matter and any orders therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment of the original petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of said original petition.

Dated: December 30, 1940.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 40-5966; Filed, December 30, 1940;  
3:06 p. m.]

[Docket No. A-358]

**PETITION OF DISTRICT BOARD NO. 14 FOR THE APPLICATION OF NOTE "A" PAGE 21, PRICE SCHEDULE NO. 1 FOR DISTRICT NO. 14 FOR ALL SHIPMENTS EXCEPT TRUCK, TO SIZE GROUPS 15 AND 16**

**NOTICE OF AND ORDER FOR HEARING AND GRANTING TEMPORARY RELIEF**

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party:

*It is ordered,* That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on January 22, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such



day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered,* That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 15, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the application of Note "a," in Size Group 14, page 21, Price Schedule No. 1 for District No. 14 For All Shipments Except Truck, to Size Groups 15 and 16, as to which coals such note has not heretofore applied.

*It is further ordered,* That a reasonable showing of the necessity thereof having been made, temporary relief be, and it hereby is, granted as follows: Commencing forthwith, the adjustment provided in Note "a" for Size Group 14 on page 21 of Price Schedule No. 1 for District No. 14 For All Shipments Except Truck, shall also apply to Size Groups 15 and 16, provided that the effective minimum prices for Size Groups 15 and 16, after such adjustment, shall not be less than the minimum price applicable to Size Group 14 where Note "a" applies.

Notice is hereby given that applications to stay, terminate or modify the tem-

porary relief herein granted may be filed pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: December 30, 1940.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 40-5968; Filed, December 30, 1940;  
3:07 p. m.]

[Docket No. A-430]

PETITION OF THE BITUMINOUS COAL PRODUCERS' BOARD FOR DISTRICT NO. 23 FOR MODIFICATION IN THE EFFECTIVE MINIMUM PRICES OF RAIL COAL OF SUBDISTRICT "A", DISTRICT NO. 23, IN SIZE GROUPS 21 AND 23 FOR SHIPMENT INTO MARKET AREAS 237 AND 239, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

[Docket No. A-431]

PETITION OF THE BITUMINOUS COAL PRODUCERS' BOARD FOR DISTRICT NO. 23 FOR PERMISSION TO MAKE A CONTRACT FOR A PERIOD OF FIVE YEARS FOR THE SALE OF COAL AT A PRICE NOT LESS THAN THE EFFECTIVE MINIMUM PRICE AS OF THE TIME OF THE MAKING OF THE CONTRACT, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

[Docket No. A-432]

PETITION OF THE BITUMINOUS COAL PRODUCERS' BOARD FOR DISTRICT NO. 23 REQUESTING A CHANGE IN THE EFFECTIVE MINIMUM PRICES FOR TRUCK SHIPMENTS OF THE LAKE COAL COMPANY, MINE INDEX 126, AND HARLEY M. TONEY, MINE INDEX 140, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

[Docket No. A-433]

PETITION OF THE BITUMINOUS COAL PRODUCERS' BOARD FOR DISTRICT NO. 23 FOR MODIFICATION IN THE EFFECTIVE MINIMUM PRICES FOR RAIL COALS PRODUCED IN SUBDISTRICT "E" OF DISTRICT NO. 23 FOR SHIPMENT INTO MARKET AREA NO. 253, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

[Docket No. A-434]

PETITION OF THE BITUMINOUS COAL PRODUCERS' BOARD FOR DISTRICT NO. 23 FOR THE ESTABLISHMENT OF EFFECTIVE MINIMUM PRICES FOR RAIL AND TRUCK SHIPMENTS OF COALS IN SIZE GROUPS 8 AND 13 PRODUCED IN SUBDISTRICT "F" OF DISTRICT NO. 23 AND FOR WHICH COALS NO MINIMUM PRICES HAVE HERETOFORE BEEN ESTABLISHED, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

NOTICE OF AND ORDER FOR HEARING AND GRANTING, IN PART, TEMPORARY RELIEF

Petitions, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party; and

It appearing that each of the above-entitled matters may be expeditiously considered in one consolidated hearing;

*It is ordered,* That the above-entitled matters be consolidated for purposes of hearing and for any other purposes deemed desirable by the Director;

*It is further ordered,* That a consolidated hearing in the above-entitled matters under the applicable provisions of said Act and the rules of the Division be held on January 24, 1941 at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearings will be held.

*It is further ordered,* That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matters. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petitions is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 16, 1941.

All persons are hereby notified that the hearing in the above-entitled matters and any orders entered therein, may concern, in addition to the matters specifically alleged in the petitions, other matters necessarily incidental and related thereto, which may be raised by amendment to the petitions, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of the petitions.

The matters concerned herewith are in regard to (1) Docket No. A-430, for modification of the effective minimum prices established for coals produced in Subdistrict "A" of District No. 23 in Size



Groups 21 and 23 for rail shipment into Market Areas 237 and 239; (2) *Docket No. A-431*, for permission to enter into a contract for a period of five years for the sale of coal to the State Normal School in Bellingham, Washington, at prices not less than the effective minimum prices in force at the time of making such contract; (3) *Docket No. A-432*, for modification of the effective minimum prices provided in Price Schedule No. 1 for District No. 23 with respect to coals produced by the Lake Coal Company, Mine Index No. 126, by eliminating the price for Size Group 10 and inserting such price for Size Group 4 for truck shipments and the Harley M. Toney Blue Flame Mine, Mine Index No. 140, by eliminating the price for coal in Size Group 12 and adding such price for coal produced in Size Group 5 for truck shipments, and further to provide that coals in all size groups for truck shipments from Mine Index No. 140 be increased 25 cents per ton when sold from the truck bunker located near Cle Elum, Washington; (4) *Docket No. A-433*, for modification of the effective minimum prices for coals produced in Subdistrict "E" of District No. 23 when shipped by rail to Market Area 253; and (5) *Docket No. A-434*, for the establishment of effective minimum prices for rail and truck shipments of coal in Size Groups 8 and 13 produced in Subdistrict "F" of District No. 23 for which size groups no minimum prices have heretofore been established.

It is further ordered, That a reasonable showing of necessity therefor having been made, pending final disposition of the petitions in the above-entitled matters, temporary relief be, and it hereby is, granted as follows: Commencing forthwith, the following changes, additions, deletions and modifications of Price Schedule No. 1 and any supplements thereto containing the effective minimum prices for District No. 23 be and the same are hereby effective:

1. (Page 9, Price Schedule No. 1) Lake Coal Co. (Albert Kauzlarich)—Lake (Wright) Mine—Kittitas County—delete Price 460 for Size Group 10 and insert Price 460 for Size Group 4.

2. (Page 9, Price Schedule No. 1) Harley M. Toney (Blue Flame Coal Company)—Blue Flame Mine—Kittitas County—delete Price 410 for Size Group 12 and insert Price 410 for Size Group 5, and add note as follows: "Coal in all size groups for truck shipments by Harley M. Toney shall be increased 25 cents per ton when sold from truck bunker located near Cle Elum, Washington."

3. (Page 7, Price Schedule No. 1) Delete "240" in third line of Schedule of Market Areas for Subdistrict "E"—McKay-Lawson—and insert in lieu thereof "240 and 253."

4. By adding the following where applicable in the case of coals for rail shipment (Page 7, Price Schedule No. 1) and for coals for truck shipment (Pages 11 and 12), Price Schedule No. 1) "Prices for

Size Groups 8 and 13 for all mines in Subdistrict "F" for rail or truck shipment shall be as follows:

Size group:	Price
8-----	25¢ less than prices applicable to Size Group No. 7
13-----	25¢ less than prices applicable to Size Group No. 12.

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division and proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: December 28, 1940.

(SEAL)

H. A. GRAY,  
Director.

[F. R. Doc. 40-5959; Filed, December 30, 1940;  
3:04 p. m.]

[Docket No. A-439]

PETITION OF DISTRICT BOARD NO. 22 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR COALS PRODUCED IN DISTRICT NO. 22 AND FOR WHICH PRICE CLASSIFICATIONS AND MINIMUM PRICES HAVE NOT HERETOFORE BEEN ESTABLISHED

#### NOTICE OF AND ORDER FOR HEARING AND GRANTING TEMPORARY RELIEF

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on January 31, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these pro-

ceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 25, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the establishment of price classifications and minimum prices for coals produced in District No. 22 for which price classifications and minimum prices have not heretofore been established.

It is further ordered, That a reasonable showing of necessity therefor having been made, pending final disposition of the petition in the above-entitled matter, temporary relief be, and it hereby is, granted as follows: Commencing forthwith, the coals referred to in the schedule annexed marked "Temporary Supplement" and made a part hereof, shall be subject to minimum prices as provided in said Temporary Supplement.

Notice is hereby given that applications to stay, terminate or modify temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure for the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: December 28, 1940.

(SEAL)

H. A. GRAY,  
Director.

[F. R. Doc. 40-5963; Filed, December 30, 1940;  
3:05 p. m.]

[Docket No. A-448]

PETITION OF BITUMINOUS COAL PRODUCERS' BOARD FOR DISTRICT NO. 19 FOR CHANGES IN THE EFFECTIVE MINIMUM PRICES APPLICABLE TO SUBDISTRICT 20, DISTRICT NO. 19 IN THE CASE OF RAIL SHIPMENTS OF COALS IN SIZE GROUPS 11 AND 16 INTO MARKET AREAS 237-240 AND 247-254

#### NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;



*It is ordered,* That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on January 13, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered,* That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 7, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to changes and modifications in the effective minimum prices for coals produced in Subdistrict 2, District No. 19, in Size Groups 11 and 16 for rail shipment into Market Areas 237-240 and 247-254.

Dated: December 28, 1940.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 40-5964; Filed, December 30, 1940;  
3:05 p. m.]

[Docket No. A-454]

PETITION OF BITUMINOUS COAL PRODUCERS  
BOARD FOR DISTRICT NO. 3 FOR REVISION  
OF THE EFFECTIVE MINIMUM PRICES FOR  
THE COALS OF DISTRICT NO. 3 FOR ALL-  
RAIL SHIPMENTS TO CERTAIN DESTINA-  
TIONS IN MARKET AREAS 11, 12 AND 13

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

*It is ordered,* That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on January 23, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered,* That Thurlow G. Lewis or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 18, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may

be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 3 for the reduction of the effective minimum prices for coals of District No. 3 for shipment all rail into Akron, Canton, Ceico, Cleveland, Lorain, South Lorain, Massillon and Warren, Ohio, destinations in Market Areas 11, 12, and 13, to the extent of eight cents per net ton, in view of the alleged recent reduction in the lifting and loading charge for ex-river coals at Colona and Conway, Pennsylvania.

Dated: December 28, 1940.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 40-5962; Filed, December 30, 1940;  
3:05 p. m.]

[Docket No. A-486]

PETITION OF DISTRICT BOARD NO. 8 FOR  
AN ORDER ESTABLISHING MINIMUM  
PRICES FOR RAILWAY LOCOMOTIVE FUEL  
FOR GREAT LAKE SHIPMENT IN RESULT-  
ANT MINE RUN SIZES

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

*It is ordered,* That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on January 28, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered,* That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may



file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 23, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition of District Board No. 8 for an order establishing minimum prices for railway locomotive fuel for Great Lake shipment in resultant mine run sizes, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: December 30, 1940.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 40-5967; Filed, December 30, 1940;  
3:07 p. m.]

## DEPARTMENT OF COMMERCE.

### Civil Aeronautics Authority.

[Docket No. 277]

### IN THE MATTER OF THE APPLICATION OF CARIBBEAN-ATLANTIC AIRLINES, INC.

#### NOTICE OF POSTPONEMENT OF HEARING<sup>1</sup>

Further hearing in the above-entitled proceeding, being the application of Caribbean-Atlantic Airlines, Inc., for a certificate of public convenience and necessity authorizing air transportation between Ponce, Puerto Rico, and San Juan, Puerto Rico, now assigned for January 9, 1941, 10 o'clock a. m. (Eastern Standard Time) at the Mayflower Hotel, Connecticut Avenue and DeSales Street, Washington, D. C., before Examiner Thomas O. Hardin.

December 26, 1940.

THOMAS O. HARDIN,  
Examiner.

[F. R. Doc. 40-5972; Filed, December 31, 1940;  
10:08 a. m.]

<sup>1</sup> Issued by the Civil Aeronautics Board.  
No. 1—2

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 31-444]

### IN THE MATTER OF THE BRIDGEPORT GAS LIGHT COMPANY

#### ORDER DECLARING APPLICANT NOT TO BE A SUBSIDIARY COMPANY OF SPECIFIED HOLD- ING COMPANIES

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 14th day of December, A. D. 1940.

The Bridgeport Gas Light Company, a Connecticut corporation, having filed an application and an amendment thereto pursuant to section 2 (a) (8) of the Public Utility Holding Company Act of 1935, for an order declaring it not to be a subsidiary company of The United Gas Improvement Company, or of The United Corporation;

A public hearing having been held after appropriate notice; the Commission having examined the record in this matter;

It is ordered, That The Bridgeport Gas Light Company be, and it hereby is, declared not to be a subsidiary company, within the meaning and for the purposes of the Public Utility Holding Company Act of 1935, of The United Gas Improvement Company, or of The United Corporation, subject, however, to the following terms and conditions:

(1) If at any time, any officer, director, agent, employee, nominee, or other representative of The United Corporation or of The United Gas Improvement Company, or any of their subsidiaries shall be elected, appointed, or otherwise designated as an officer, director, agent, employee, nominee or other representative of The Bridgeport Gas Light Company, notice thereof shall be given to this Commission within 10 days after the happening of such event;

(2) Within 30 days after December 31 of each year The Bridgeport Gas Light Company shall report to this Commission any increases which come to its knowledge in the per centum of its voting securities held by The United Gas Improvement Company or any of its subsidiaries, or of the acquisition of any of its securities by The United Corporation; and

(3) Within 30 days after December 31 of each year, The Bridgeport Gas Light Company shall file with this Commission a statement setting forth the details of the performance of any service, construction, loans or advances by, any purchases from, or any contracts or agreements with, The United Corporation or The United Gas Improvement Company or any of their subsidiaries.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5983; Filed, December 31, 1940;  
11:20 a. m.]

[File No. 31-84]

### IN THE MATTER OF INTERNATIONAL UTILITIES CORPORATION, DOMINION GAS AND ELECTRIC COMPANY

#### ORDER EXTENDING EXEMPTION FOR LIMITED PERIOD

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 27th day of December, A. D. 1940.

International Utilities Corporation and Dominion Gas and Electric Company having made application for exemption of Dominion Gas and Electric Company as a holding company pursuant to the provisions of section 3 (a) (5) of the Public Utility Holding Company Act of 1935, and said companies having also made application pursuant to Section 3 (b) of said Act for an order exempting Dominion Gas and Electric Company and its subsidiary companies from the provisions of the Act applicable to them as subsidiary companies of International Utilities Corporation, a registered holding company; and

The Commission on the 13th day of April 1939, having made and entered an order exempting Dominion Gas and Electric Company from all those provisions of the Public Utility Holding Company Act of 1935 which would require it to register under said Act because of its directly or indirectly owning, controlling, or holding with power to vote 10% or more of the outstanding voting securities of Canadian Western Natural Gas, Light, Heat and Power Company, Limited; Northwestern Utilities, Limited; and Canadian Utilities, Limited; and also exempting Dominion Gas and Electric Company; Canadian Western Natural Gas, Light, Heat and Power Company, Limited; Northwestern Utilities, Limited; Canadian Utilities, Limited, and other non-utility subsidiaries to the extent specified from certain provisions of the Act applicable to them as subsidiary companies of International Utilities Corporation, a registered holding company, as follows:

"(a) Section 6 of the Act except that this exemption shall not extend to any issue or sale of securities which are to be offered for sale within the United States or to any exercise of a privilege or right to alter the priorities, preferences, voting power or any other rights of the holders of any security which prior to the exercise of such privilege or right shall have been offered for sale within the United States;

"(b) Section 9 of the Act except that this exemption shall not apply to the acquisition of any utility assets located within the United States or to the acquisition of any interest in the business of or securities issued or guaranteed by any public utility or holding company which directly or indirectly owns or controls



utility assets located within the United States;

"(c) Sections 11 (g) and 12 (e) of the Act: *Provided, however,* That such exemption shall not be applicable to any solicitation within the United States regarding any securities, other than securities owned by International Utilities Corporation or other associates of the issuer;

"(d) Section 12 (c) of the Act but only insofar as such section applies to the acquisition, retirement, or redemption of the securities of Dominion Gas and Electric Company or its subsidiaries, and only in such amounts as required by the charter or indenture sinking fund provisions of Dominion Gas and Electric Company or of any of its subsidiaries;

"(e) Section 13 of the Act with respect to any transactions except the performing of services or contracts for, or the sale of goods to, any public utility company operating within the United States or to any public utility holding company or subsidiary thereof which is a public utility company operating within the United States;

"(f) Section 15 of the Act unless rules, regulations or orders promulgated by the Commission pursuant to the provisions of such section shall by their terms be made expressly applicable to a company which is not, and which has no subsidiary company which is, a public utility company operating in the United States;

"(g) Section 17 (c) of the Act"; and  
The said order further providing that the exemptions therein granted shall expire December 31, 1940, without prejudice to the right of International Utilities Corporation and Dominion Gas and Electric Company to apply on behalf of themselves and the subsidiary companies of Dominion Gas and Electric Company for an extension of the time in which such order shall be effective; and

International Utilities Corporation and Dominion Gas and Electric Company having filed on the 10th day of December 1940, an amendment to the application aforesaid requesting that the exemptions heretofore granted by the Commission be extended for a further period beyond December 31, 1940; and

The Commission having requested certain additional information with respect to the aforesaid amended application, which information has not as yet been furnished, and not having had sufficient opportunity to give full consideration to the aforesaid amended application, but deeming it not detrimental to the public interest or the interest of investors or consumers that the aforesaid exemptions be extended for a limited additional period in view of the facts and circumstances above set forth;

*It is therefore ordered,* That the exemptions granted to Dominion Gas and Electric Company and its subsidiaries by order of this Commission dated April 13,

1939, be and the same hereby are extended so that the same shall expire on January 31, 1941.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5992; Filed, December 31, 1940;  
11:22 a. m.]

[File No. 31-411]

IN THE MATTER OF NEW BRUNSWICK  
POWER COMPANY

ORDER TEMPORARILY EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 27th day of December, A. D. 1940.

The Commission having heretofore on the 18th day of October 1938, ordered that the New Brunswick Power Company be exempted to the extent specified from certain provisions of the Public Utility Holding Company Act of 1935 applicable to it as a subsidiary company of Federal Light and Traction Company and Cities Service Power & Light Company, registered holding companies; and

Such order providing that the exemption granted should expire on December 31, 1940, without prejudice to the right of New Brunswick Power Company to apply for an extension of the time during which such order should be effective; and

New Brunswick Power Company having, on the 27th day of November 1940, filed an application seeking an extension of the time during which such order should be effective; and

The Commission desiring to give further consideration to such application but deeming it not detrimental to the public interest or the interest of investors or consumers to grant a temporary extension of the time during which such order of exemption shall be effective;

It is therefore Ordered that, pending such further consideration, the time during which such order of exemption shall be effective be, and it hereby is, extended until January 31, 1941.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5990; Filed, December 31, 1940;  
11:21 a. m.]

[File No. 31-417]

IN THE MATTER OF CONSOLIDATED ELECTRIC  
AND GAS COMPANY

ORDER TEMPORARILY EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27 day of December, A. D. 1940.

Consolidated Electric and Gas Company, a registered holding company, having made application for an extension of the exemption, expiring December 31, 1940, granted certain of its foreign subsidiaries by order of the Commission dated February 2, 1939, pursuant to section 3 (b) of the Public Utility Holding Company Act of 1935, from certain of the provisions of said Act applicable to them as subsidiaries of a registered holding company.

The Commission desiring to give further consideration to such application but deeming it not detrimental to the public interest or the interest of investors or consumers to grant a temporary extension of the time during which such order of exemption shall be effective;

*It is therefore ordered,* Pending such further consideration, that the time during which such order of exemption shall be effective be, and hereby is, extended until January 31, 1941.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5991; Filed, December 31, 1940;  
11:21 a. m.]

[File No. 31-437]

IN THE MATTER OF SOUTHERN UTILITIES  
COMPANY, LIMITED

ORDER TEMPORARILY EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of December, A. D. 1940.

The Commission having heretofore on the 2nd of December 1938, ordered that the Southern Utilities Company, Limited, be exempted to the extent specified from certain provisions of the Public Utility Holding Company Act of 1935 applicable to it as a subsidiary company of North Continent Utilities Corporation, a registered holding company; and

Such order providing that the exemption granted should expire on December 31, 1940, without prejudice to the right of Southern Utilities Company, Limited, to apply for an extension of the time during which such order should be effective; and

Southern Utilities Company, Limited, having, on the 29th day of November 1940, filed an application seeking an extension of the time during which such order should be effective; and

The Commission desiring to give further consideration to such application but deeming it not detrimental to the public interest or the interest of investors or consumers to grant a temporary extension of the time during which such order of exemption shall be effective;

*It is therefore ordered,* That, pending such further consideration, the time dur-



ing which such order of exemption shall be effective be, and hereby is, extended until January 31, 1941.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5989; Filed, December 31, 1940;  
11:21 a. m.]

[File No. 31-439]

IN THE MATTER OF GREAT NORTHERN GAS  
COMPANY, LIMITED

ORDER TEMPORARILY EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of December, A. D. 1940.

The Commission having heretofore on the 2nd of December, 1938, ordered that the Great Northern Gas Company, Limited, be exempted to the extent specified from certain provisions of the Public Utility Holding Company Act of 1935 applicable to it as a subsidiary company of North Continent Utilities Corporation, a registered holding company; and

Such order providing that the exemption granted should expire on December 31, 1940, without prejudice to the right of Great Northern Gas Company, Limited, to apply for an extension of the time during which such order should be effective; and

Great Northern Gas Company, Limited, having, on the 29th day of November, 1940, filed an application seeking an extension of the time during which such order should be effective; and

The Commission desiring to give further consideration to such application but deeming it not detrimental to the public interest or the interest of investors or consumers to grant a temporary extension of the time during which such order of exemption shall be effective;

It is therefore ordered, That, pending such further consideration, the time during which such order of exemption shall be effective be, and hereby is, extended until January 31, 1941.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5983; Filed, December 31, 1940;  
11:21 a. m.]

[File No. 70-220]

IN THE MATTER OF SAVANNAH GAS  
COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 27th day of December, A. D. 1940.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested person may, not later than January 15, 1941, at 4:30 p. m., E. S. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application, as filed or as amended, may be granted as provided in Rule U-8 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Savannah Gas Company, a subsidiary of American Gas and Power Company, a registered holding company, proposes, upon approval by the Georgia Public Service Commission, to sell \$1,000,000 principal amount of First Mortgage 3¾% Sinking Fund Bonds Series due January 1, 1966, and Ten-Year Serial Notes in the principal amount of \$400,000 to Central Republic Company, Chicago, Illinois, and to redeem (1) its First Mortgage Series C 4½% Bonds due March 1, 1956 in the amount of \$535,000 at 107% of the principal amount, (2) its 7% Cumulative Preferred Stock, \$25 par value, at \$30 per share, and (3) its First Mortgage 5% Bonds, Series B, due January 1, 1956, in the amount of \$327,000, callable at 105% of principal amount on July 1, 1941. The application states that an underwriting commission of not more than 2% of the principal amount of the bonds and serial notes is proposed to be paid to Central Republic Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5986; Filed, December 31, 1940;  
11:20 a. m.]

[File No. 812-94]

IN THE MATTER OF ATLAS CORPORATION  
INVESTMENT COMPANY ACT OF 1940—  
SECTION 17 (b)

FINDINGS AND ORDER RELATING TO SALE OF  
STOCK

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C. on the 28th day of December, A. D. 1940.

The above named applicant having duly filed an application under section 17 (b) of the Investment Company Act of 1940 for an order granting an exemption from the provisions of section 17 (a) (2) of said Act so as to permit a sale by the applicant of all of the shares of capital stock of Salta Corporation to Floyd B. Odium, President and a Director of the applicant; and

A public hearing having been duly held after appropriate notice;

The Commission having examined the record in this matter finds:

1. Atlas Corporation and Salta Corporation are closed-end investment companies registered under the Investment Company Act of 1940; Floyd B. Odium is the President and a Director of Atlas Corporation.

2. Salta Corporation is a wholly-owned subsidiary of Atlas Corporation, having outstanding 10,000 shares of capital stock, all of which are owned by Atlas Corporation.

3. It is proposed that Salta Corporation distribute as a liquidating dividend to Atlas Corporation a part of its assets and that thereafter Atlas Corporation enter into an agreement with Floyd B. Odium providing for the purchase by the latter of the 10,000 outstanding shares of stock of Salta Corporation in cash at a price equal to the liquidating value of such shares at the time of such sales, plus \$1,000. In computing the liquidating value of such shares, the remaining securities in the portfolio of Salta Corporation are to be valued at their respective market prices on the New York Stock Exchange at the close of business on the day prior to the sale.

4. On December 27, 1940, the applicant filed a copy of its agreement with Floyd B. Odium, executed December 26, 1940. The terms of said agreement as executed conform to the summary of the proposed agreement as set forth in the application and in paragraph 3 of these findings.

5. The terms of the proposed transaction, including the consideration to be paid and received, are reasonable and fair and do not involve overreaching on the part of any person concerned.

6. The proposed transaction will tend to simplify the capital structure of Atlas Corporation and its subsidiaries, and is consistent with the policy of Atlas Corporation and Salta Corporation and with the general purposes of the Investment Company Act of 1940.

Wherefore it is ordered, That the sale by Atlas Corporation of the shares of stock of Salta Corporation to Floyd B. Odium in the manner above recited be and the same hereby is exempted from the provisions of section 17 (a) (2) of the Investment Company Act of 1940.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5993; Filed, December 31, 1940;  
11:22 a. m.]

[File No. 70-215]

IN THE MATTER OF MONONGAHELA WEST  
PENN PUBLIC SERVICE COMPANY

ORDER PERMITTING DECLARATION TO BECOME  
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its



office in the City of Washington, D. C., on the 30th day of December, A. D. 1940.

The above-named party, a subsidiary of West Penn Power Company, West Penn Electric Company, and American Water Works and Electric Company, Incorporated, all registered holding companies, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly Section 7 thereof, regarding the issuance of notes to evidence a bank loan from The National City Bank of New York in an amount not to exceed \$800,000 for the purpose of financing the purchase of equipment and the construction of facilities in accordance with the provisions of an Emergency Plant Facilities Contract to be entered into with the United States Government;

Said declaration having been filed on December 17, 1940, and certain amendments having been filed thereto, the last of said amendments having been filed on December 30, 1940, and notice of said filing having been duly given in the form and manner prescribed by Rule U-8 promulgated pursuant to said Act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The above-named party having requested that the Commission advance the effective date of said declaration so that said declaration become effective as soon as possible in order to permit contracts to be executed so that work on the projects can be commenced prior to December 31, 1940.

It is hereby ordered, Pursuant to said Rule U-8 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-9 that the aforesaid declaration, as amended, be and hereby is permitted to become effective at 4:30 p. m., E. S. T. on December 30, 1940.

By the Commission, Commissioner Healy dissenting for the reasons stated in his memorandum of April 1, 1940, and Commissioner Elcher not participating.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5984; Filed, December 31, 1940;  
11:20 a. m.]

[File No. 70-221]

IN THE MATTER OF INTERNATIONAL  
UTILITIES CORPORATION  
NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of December, A. D. 1940.

Notice is hereby given that a declaration has been filed with this Commission

pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested person may, not later than January 15, 1941, at 4:30 P. M., E. S. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration, as filed or as amended, may become effective, as provided in Rule U-8 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

International Utilities Corporation, a registered holding company, proposes to declare and pay out of capital or unearned surplus a regular quarterly dividend on February 1, 1941, on its \$3.50 Prior Preferred Stock at the rate of 87½¢ per share on the 98,968 shares of such Stock presently outstanding. The aggregate amount of this dividend will be \$86,597. International Utilities Corporation also proposes to declare and pay out of capital or unearned surplus on its \$1.75 Preferred Stock an amount of \$1.81¼ per share on the 66,652 shares of such Stock presently outstanding as a payment on account of accumulated dividend arrearages. The aggregate amount of this dividend will be \$120,806.75.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5987; Filed, December 31, 1940;  
11:21 a. m.]

IN THE MATTER OF BARRETT & COMPANY,  
SATTERFIELD & LOHRKE, AND BOND &  
GOODWIN, INC.

ORDER FOR CONTINUANCE

At a regular session of the Securities and Exchange Commission, held at its offices in the City of Washington, D. C., on the 30th day of December, A. D. 1940.

For good cause shown it is hereby ordered that the hearing in this matter heretofore set for the 6th day of January 1941, be and the same is hereby continued to the 20th day of January 1941, at 10 o'clock, A. M., at the Boston Regional Office of the Securities and Exchange Commission, 82 Devonshire Street, Boston, Massachusetts, and thereafter at such times and places in Boston, Massachusetts, or elsewhere, as

the officer heretofore designated to conduct this proceeding may determine.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5985; Filed, December 31, 1940;  
11:20 a. m.]

[File No. 70-162]

IN THE MATTER OF THE CENTRAL KANSAS  
POWER COMPANY

SUPPLEMENTAL ORDER UNDER SECTION 8 (B),  
PUBLIC UTILITY HOLDING COMPANY ACT OF  
1935 (RULES U-12, C-1, AND U-12 F-2)

At a regular session of the Securities and Exchange Commission, held at its offices in the City of Washington, D. C., on the 30th day of December, A. D. 1940.

The Commission having on October 25, 1940 issued an Order regarding the issue and sale by The Central Kansas Power Company of 5,821 shares of its 4¾% Cumulative Preferred Stock, \$100 par value, to an underwriting group, including therein The United Trust Company, Abilene, Kansas, an associate company, and having in such Order retained jurisdiction over any and all underwriting fees, commissions, or other compensation deriving from the issue and sale of said 4¾% Cumulative Preferred Stock to be paid directly or indirectly to or retained by The United Trust Company, in order to determine whether any such underwriting fees, commissions, or other compensation meet the standards of Rule U-12F-2; and

The Commission being satisfied with the showing made by The Central Kansas Power Company that it was not practicable to obtain competitive bids in view of the amount of the issue and the size, financial position and credit of the issuer; and

It appearing to the Commission that the fee to be paid to The United Trust Company does not exceed the customary fees for similar services where the parties are dealing at arm's-length, that the services rendered by The United Trust Company were necessary, and that the remuneration to The United Trust Company is reasonable in view of the cost of rendering the services, the time spent thereon, and all other relevant factors;

It is ordered, That jurisdiction be and the same hereby is released with regard to the fee proposed to be paid by The Central Kansas Power Company to The United Trust Company as compensation for its services in connection with the issue and sale of the said 4¾% Cumulative Preferred Stock.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-5995; Filed, December 31, 1940;  
11:54 a. m.]